

FILED

1) Name of Person Filing: Jeff Thiede
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Phone Number: 248.325.8375

☒ Representing Self, Without an Attorney

2019 APR 16 PM 1:37

AMY J HUNLEY
CLERK OF SUPERIOR COURT
BY BA
DEPUTY

SUPERIOR COURT OF ARIZONA IN COCHISE COUNTY

2) Jeff Thiede
Plaintiff

3) CV201900141
Case Number

4) David A. Terry
Wilmington Trust, N.A. as Trustee of
SpringCastle Credit Funding Trust
Catherine L. Traywick, Cochise County Treasurer
Defendants

DIV. 1

**COMPLAINT TO FORECLOSE THE
RIGHT TO REDEEM A TAX LIEN**

STATEMENT TO THE COURT:

5) Plaintiff claims an interest in the property in Cochise County as described below. Defendant(s) are not under 18-years of age, are not legally incapacitated, and are not in military service. Plaintiff gave Notice of Intent to file action to foreclose right to redeem, pursuant to ARS § 42-18202, on this date: Thursday, March 14, 2019.

6) To pay for delinquent taxes legally levied and assessed against the property, to pay for interest, to pay for penalties, and to pay for other charges, the Cochise County Treasurer sold the tax lien on the property, located in Cochise County, to Plaintiff as follows:

Property Street Address:	<u>N/A</u>
Assessor Parcel Number:	<u>208-26-014-L</u>
Legal Description of Real Property:	<u>See attached Exhibit #2: Legal Description.</u>
Working Legal Description:	<u>LOT 3 PER R/S BK 42 PG 42 AKA NESW SEC 17-16-20 4.00AC 08-09</u> <u>LV CHT 99-1 VAL W/014M</u>
Original Date of Tax Lien Sale:	<u>Thursday, February 28, 2013</u>
Certificate of Purchase Number:	<u>139544 (Bidder #5321)</u>

Furthermore, the taxes due and owing on the property were delinquent at the time of the tax lien sale and the tax lien sale on above property was valid and lawfully assigned. The Certificate of Purchase on the property has been issued or lawfully assigned to and owned by the Plaintiff, who has paid all amounts legally due thereon to the Treasurer upon Certificate of Purchase and which amounts are listed on the Certificate.

Over three (3) years have passed since original date of sale. No Party has redeemed the property; therefore, pursuant to ARS § 42-18201, Plaintiff is entitled to foreclose the rights of all Defendants to redeem the tax lien. Defendant(s) claim to the property, if any, is invalid other than the right to redeem, which this judgement will foreclose.

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The Plaintiff to be adjudged the owner of the property in fee simple, free and clear of liens, claims, rights, and interests of any other Defendant(s) herein, subject only to Defendant(s) right to redeem the property and pay Plaintiff the costs incurred in this action plus any reasonable fees.

REQUEST TO THE COURT:

7) Declare, that at the time of the tax lien sale the taxes on the property were delinquent; that the Certificate of Purchase is valid; that over three (3) years have passed since the original tax lien sale; that the Notice of Intent to file action to foreclosure right to redeem is valid; that Service of Process is valid; that the property has not been redeemed; that the sale of the property is valid; and, that Defendant(s) right to redeem the property is forever foreclosed and Defendant(s) are barred forever and stopped from having or claiming any right or title adverse to Plaintiff.

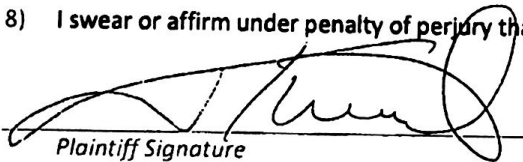
OR, order that, if Defendant(s) choose to redeem the property from sale, Defendant(s) shall pay Plaintiff the costs incurred for amount of the Certificate of Purchase, and, if any, for payment of all subsequent taxes, for mailings, for reasonable attorney fees, for title search, for court filing fees, for Service of Process, for recording fees, and for any further relief for Plaintiff the court deems appropriate based upon Plaintiff's submission of an itemized statement to the court. Additionally, upon these costs, fees, payments, and further relief, Defendant(s) shall pay interest at the following per annum rate from the date paid: 16%, which is the interest rate due on the Certificate of Purchase.

Enter a judgement in this matter pursuant to Rule 54, Arizona Rules of Civil Procedure, as there is no reason for delay. And, upon finding compliance with ARS § 42-18205, order the Cochise County Treasurer to execute and deliver to Plaintiff a deed conveying the property.

OATH OF AFFIRMATION:

State of Arizona,
County of Cochise ss.

8) I swear or affirm under penalty of perjury that information on this document is true and correct.


Plaintiff Signature

4/16/19
Date

SIGNED AND SEALED before me:

JEFF THIEDE
Printed Name

4/16/19
Date

My Commission Expires:


Deputy Clerk or Notary Public Signature

4/16/2019
Date